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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on  
SEPTEMBER 11, 2001

03 MDL 1570 (RCC)  
ECF Case

*This document relates to:*

*Estate of John P. O'Neill, et al. v. Al Baraka Inv. & Dev. Corp., et al. 04-CV-1923 (RCC)*

**STIPULATION AND ORDER  
FOR SERVICE OF PROCESS AND SETTING SCHEDULE FOR  
RABITA TRUST TO RESPOND TO  
THE FIRST AMENDED COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for Plaintiffs and for Defendant, Rabita Trust, that undersigned counsel for Rabita Trust will accept service of the Second Amended Complaint on behalf of Rabita Trust in the case of *Estate of John P. O'Neill, et al. v. Al Baraka, et al. 04-CV-1923(RCC)(S.D.N.Y.)*, subject to the approval of the Court, according to the following terms:

1. A copy of the summons and Second Amended Complaint, in English, shall be served via Federal Express on counsel for Rabita Trust at the following address:

**Martin F. Mc Mahon, Esquire  
1150 Connecticut Ave., NW  
Washington, DC 20035**

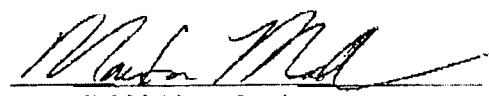
2. Rabita Trust shall have sixty (60) days from the date on which the Court decides Rabita Trust's pending motions to dismiss in *Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al.* (02-CV-6977), *Burness, et al. v. Al Baraka Investment and Development Corporation, et al.* (03 CV 9849) and *Federal Insurance Company, et al. v. Al Qaeda, et al.* (03-CV-6978) to move to dismiss or answer the Second Amended Complaint.

3. Plaintiffs shall have sixty (60) days from the date on which it is served with Rabita Trust's motion to dismiss to serve its opposition to same or to respond, if required, to the answer.

4. Rabita Trust shall have thirty (30) days from the date on which Rabita Trust is served with Plaintiffs' opposition to a motion to dismiss, or response to an answer, to reply to that opposition.

5. The foregoing schedule is without waiver of any of Rabita Trust's defenses, except that Rabita Trust does not challenge the sufficiency of process or the sufficiency of Plaintiffs' service of process on Rabita Trust in this case if made in compliance with Paragraphs 1-4 above. Rabita Trust hereby waives all affirmative defenses, objections and arguments relating to the sufficiency of process and the sufficiency of service of process during the course of this litigation.

MARTIN F. MCMAHON & ASSOCIATES

  
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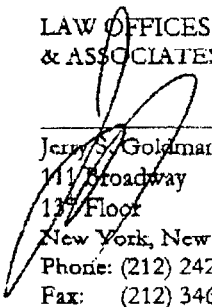
Dated: January 25, 2005

*Counsel for Defendants  
Rabita Trust*

Dated: New York, New York  
March 1, 2005

Respectfully submitted,

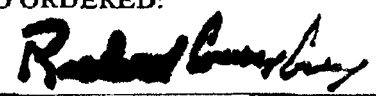
LAW OFFICES OF JERRY S. GOLDMAN  
& ASSOCIATES, P.C.

  
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111 Broadway  
13<sup>th</sup> Floor  
New York, New York 10006  
Phone: (212) 242-2232  
Fax: (212) 346-4665

Dated: January 31, 2005

*Counsel for Plaintiffs*

SO ORDERED:

  
Richard C. Casey  
U.S.D.J.